

## JUSTICE WRIGHT TO FORCE TRIAL

Rules That Action Against  
Labor Leaders Must  
Go Forward.

### TO TAKE ORAL TESTIMONY

Jurist Holds That Offense Is  
Civil, Not Criminal—Limita-  
tion Plea Ignored.

Washington, D. C., November 23.—Refusing to dismiss the contempt proceedings on technicalities, and holding that the action is civil rather than criminal, Justice Dan Thaw Wright, of the District Supreme Court, today announced in a lengthy opinion that oral testimony will be taken in the contempt charges against President Samuel Gompers, Vice-President John Mitchell and Secretary Frank Morrison, and that the case will proceed.

Notice of a special appeal to the Court of Appeals was filed by counsel for the defendants. This move means that an attempt will be made to take the case to the higher courts before testimony is taken.

The court held that the statute of limitation for prosecution of crimes has no application to prosecutions for contempt of court, and that the contention of the labor leaders that the alleged act of contempt was committed more than three years ago is meritless.

Three days were given to counsel for the defendants to reach an agreement with the "committee of prosecutors" as to the appointment of a commission or special examiner to take testimony in the case. If an agreement cannot be reached within that time the court will make an appointment.

Uses Vigorous Language.

Vigorous language is used frequently by Justice Wright in his opinion, which covers more than thirty typewritten pages. He refers to the "nature of the specifications," saying that "their character is so serious and grave, seeking as they do to involve, if true, a declared unwillingness to social order, a plain defiance of the law of the land and an open determination to be done with law for certain cases."

The opinion was read by Justice Wright with his five associates sitting in formal session. The courtroom was crowded to utmost capacity.

Justice Wright's decision today came as a consequence to a motion to dismiss the latest contempt proceedings against the three labor leaders on the technical ground that the "committee of prosecutors" appointed by the court had failed to file a replication to the answers of the defendants.

New Allegation Made.

In the answers of the labor leaders was raised the second technical point of the application of the statute of limitations to the proceedings in contempt, their charge that they should be given the benefit of the limitation bar to charges against them on the theory that contempt of court is a criminal offense and that more than three years have elapsed since the commission of the alleged act of contempt.

The particular offense charged is the disregard of the injunction of the court granted December 13, 1917, by Justice Ashley M. Gould, in favor of the Bucks Store and Range Company, of St. Louis. Originally the case grew out of a refusal of the American glove corporation to sign the American Federation of Labor and the publication of the declaration that the company was "unfair."

The temporary injunction granted in December, 1917, to restrain the American Federation of Labor from putting the store closed, was based on "fair use" and under the caption "We don't patronize" in the American Federationist was made permanent three months later.

Three things against Messrs. Gompers, Mitchell and Morrison were subsequently instituted for violation of this order, the evidence including public utterances of the three defendants. The three men were

found guilty by Justice Wright, who imposed jail sentences.

President Gompers was sentenced to one year in jail, Vice-President Mitchell to nine months, and Secretary Morrison to six months. As officers of the American Federation they were held responsible for the acts of that body.

Supreme Court's Decision.

On May 15 last the United States Supreme Court handed down a decision, read by Justice Lamar and unanimously concurred in by his associates, relieving the three labor leaders from the jail sentences imposed, but gave the lower court the right to reopen the case. The court of last resort held that the proceedings brought against the labor officers were for civil contempt, which could be punished only by the imposition of a fine.

KANSANS ELECT POSTMASTER

Patrons of Office, Male and Female, All  
Vote at Primary.

Leroy, Kan., November 23.—Miss Esther E. Abbott was elected postmaster of Leroy yesterday by an overwhelming majority. She got 534 votes to 71 for her opponent, O. C. Kersey. Men and women of all parties, patrons of the office, were permitted to vote, and Fred S. Jackson, Representative from the Fourth District, who devised the plan for allowing the people to name their own postmaster, supervised the election.

Miss Abbott has been assistant postmaster nearly eight years under her father, and since his death, a few months ago, has been acting postmaster. When the matter of appointing a new postmaster came up so many persons applied for the place that Mr. Jackson decided on a primary. Miss Abbott immediately announced that she would be a candidate.

The plan was so successful that Congressman Jackson intends to try it on other towns.

Vapor Treatment  
For Catarrh

The HYOMEI vapor treatment is especially recommended in stubborn cases of chronic catarrh of long standing, but remember that the inhaler should be used daily as usual.

This treatment only takes a few minutes time before going to bed. Pour a scant teaspoonful of HYOMEI into a kitchen bowl of boiling water, cover head and bowl with towel and breathe for several minutes the vapor which rises.

You will be surprised at the results of this treatment; it makes the head feel fine and clear; you will sleep better, and that stuffed up feeling will gradually disappear.

This method is also used to break up the worst cold in the head overnight.

A bottle of HYOMEI (pronounced i-High-o-mey) costs 30 cents at Fagle Co.'s and drugists everywhere. Complete outfit, which includes the little pocket inhaler, \$1.00.

No stomach dosing. Just breathe HYOMEI and cure catarrh and all diseases of the breathing organs. Free trial bottle by addressing Booth's Hyomei Co., Buffalo, N. Y.

PAINTS

Original

Tanner Paint & Oil Co.

1417 and 1419 East Main,

Richmond, Va.

Advertising Ideas Free

We are successfully handling many large and small accounts in the South. If you want free ideas, suggestions and advice in connection with your advertising tell us by letter, phone or in person.

FREEMAN ADVERTISING AGENCY, INC., Mutual Building, Richmond, Virginia.

Phone Madison 242

Richmond, Virginia

MINIATURE ALMANAC

November 24, 1917.

Sun rises... 7:00 Morning... 6:55

High tide... 4:54 Evening... 6:55

THE WEATHER.

probably followed by clearing and

colder in the afternoon; Saturday

colder; brisk south, shifting to

northeast winds.

Sunday—Rain and colder; Friday

Saturday fair, colder on the coast

brisk south, shifting to northwest

winds.

Special Local Data for Yesterday.

12 noon temperature... 49

Maximum temperature... 57

Minimum temperature... 36

Normal temperature... 46

Deficiency in temperature... 4

Excess in temperature... 128

Deficiency in rainfall since March

7.63

Accumulation of rain since

January 1... 7.00

Local Observation 8 P. M. Yesterday.

Temperature... 50

Humidity... 62

Wind—direction... South

Wind—velocity... 6

Weather... Cloudy

CONDITIONS IN IMPORTANT CITIES.

(At 3 P. M. Eastern Standard Time.)

Albany... 48 38 Cloudy

Ashville... 48 38 Cloudy

Atlanta... 48 38 Cloudy

Baltimore... 48 38 Cloudy

Boston... 48 38 Cloudy

Butte... 48 38 Cloudy

Calgary... 48 38 Cloudy

Charleston... 48 38 Cloudy

Chicago... 48 38 Cloudy

Cincinnati... 48 38 Cloudy

Cleveland... 48 38 Cloudy

Dallas... 48 38 Cloudy

Denver... 48 38 Cloudy

Detroit... 48 38 Cloudy

El Paso... 48 38 Cloudy

Hartford... 48 38 Cloudy

Havana... 48 38 Cloudy

Indianapolis... 48 38 Cloudy

Kansas City... 48 38 Cloudy

Louisville... 48 38 Cloudy

Montgomery... 48 38 Cloudy

New Orleans... 48 38 Cloudy

New York... 48 38 Cloudy

Norfolk... 48 38 Cloudy

Oklahoma... 48 38 Cloudy

Pittsburgh... 48 38 Cloudy

Portland... 48 38 Cloudy

San Francisco... 48 38 Cloudy

Savannah... 48 38 Cloudy

Spokane... 48 38 Cloudy

Tampa... 48 38 Cloudy

Winnipeg... 48 38 Cloudy

Wytheville... 48 38 Cloudy

THE SOONER  
THE BETTER

Change that old-fashioned, unsanitary plumbing to the modern, up-to-date, sanitary fixtures. It means comfort and health to you.

McGraw-Yarborough Co.

Wholesale Plumbers' Supplies

122 South Eighth Street, Richmond, Va.

NO DECISION AS  
TO POSTAL RATES

Tentative Bill Denies Second  
Class to Over Fifty Per  
Cent. Advertising.

Washington, November 23.—Postmaster-General Hitchcock denied today that he intends advocating a law that newspapers carrying more than 50 per cent. of advertising be denied the second-class mail rate. He said that after consultation with the special commission on second-class mail matter, of which Associate Justice Hughes, of the Supreme Court of the United States, is the chairman, and with leading publishers, a tentative bill had been drawn for the commission and had been sent confidentially to publishers for their comment and suggestions.

A leading publisher, he said, had suggested a protection to the legitimate publications, newspapers included, that the line be drawn upon the amount of advertising which might be carried at the second-class mail rate, and he suggested that 50 per cent. might afford a reasonable limit. But as yet there had been no positive decision upon the subject, although many publishers are said to favor the 50 per cent. rule.

Report of the second class mail commission is expected to reach President next week, as December 1 was the limit set by the President for the submission of the report.

Postmaster-General Hitchcock positively denied today that the contract for printing money orders forms had been let or canceled. The report of the committee, he said, had not yet been submitted for his consideration, but in all probability it would be soon and a decision would be reached upon the award within a few days.

It was learned that the lowest bid in answer to the printed proposal was submitted by a local firm which is charged with employing non-union labor. The impression that the contract had been awarded to that firm aroused a protest and some discussion in labor circles.

SALE OF GIRLS' COATS

This sale of girls' coats is a humming because it's a hummer!

\$8.50 and 99 cents at \$4.75.

\$10 and \$12.50 coats at \$6.75.

Nearly a hundred left.

The best sort of chinchilla, Scotch plaids and cassimere; only they are cuts and styles that haven't taken like some others.

They're bound to sell like hot cakes now!

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